

minor drafting error and that, for example, is not caught until it is too late. We saw it last year with an amendment by Mr. BUYER on the Military Construction and Veterans Affairs appropriations bill. So as to not have a repeat of that unfortunate incident, I propose to change the rule to allow Members to make germane changes to their amendments.

I remind Members that by voting "no" on the previous question, Members will not be voting to kill or to delay the underlying Commerce, Justice, Science Appropriations bill. I encourage all of my colleagues on both sides of the aisle to vote "no" on the previous question so that Members will be given the opportunity to make changes to their amendments if necessary.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. ARCURI. Mr. Speaker, I would like to thank the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) for his courtesies in this debate and for his very able management of this rule.

Mr. Speaker, on my opening remarks, I chose to focus on the criminal justice programs that are funded under H.R. 2847, but there are many other important areas addressed in this legislation, and we have heard about many of those during the debate. In closing, I would like to take the opportunity to discuss another of these that is of utmost importance to America.

The bill includes \$293 million for the Economic Development Administration, which is \$20 million above the amount enacted in 2009. The EDA administers several economic programs, including public works grants for upgrading infrastructure, planning, and trade adjustment assistance for communities that bear the burden of jobs outsourced to other countries.

H.R. 2847 includes more than \$158 million for the Economic Development Administration's Public Works Program, \$25 million more than last year. H.R. 2847 also makes critical investments in scientific research and NASA's space program. The bill includes \$6.9 billion for the National Science Foundation. This level of funding will support the doubling of NSF's budget over the next 10 years and represents a true commitment to investment in basic research and development which will provide for innovation and future technologies to help the United States be competitive.

H.R. 2847 includes over \$18.2 billion for the National Aeronautics and Space Administration. NASA's unique mission is to pioneer the future in space

exploration, scientific discovery in aeronautics research, and this appropriation enables them to accomplish this mission. This recommendation also provides for the continued efforts of NASA's Mars exploration and provides funds for the completion of the Mars science laboratory to launch in 2011. Exploration has always been critical to mankind. We live in America today because of exploration. We must continue to explore the new frontier for future generations.

In closing, Mr. Speaker, I would remind my colleagues that so far we have discussed only a handful of the important programs that are funded by the fiscal year 2010 Commerce, Justice, Science Appropriations bill. I urge my colleagues to vote in favor of the rule and the underlying bill, H.R. 2847. I urge a "yes" vote on the previous question and on the bill.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 544 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

On page 2, line 21, after "if printed," insert the following new sentence, "The proponent of each such amendment may make germane modifications to such amendment."

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the

Rules Committee in the 109th Congress (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's* "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. ARCURI. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. LINCOLN DIAZ-BALART. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of House Resolution 545, by the yeas and nays;

ordering the previous question on House Resolution 544, by the yeas and nays;

adoption of House Resolution 544, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 545, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 238, nays 183, not voting 12, as follows:

[Roll No. 345]

YEAS—238

Abercrombie	Green, Al	Oberstar
Ackerman	Green, Gene	Obey
Adler (NJ)	Griffith	Olver
Altmire	Grijalva	Ortiz
Andrews	Gutierrez	Pallone
Arcuri	Hall (NY)	Pascrell
Baca	Halvorson	Pastor (AZ)
Baird	Hare	Payne
Baldwin	Harman	Perlmutter
Barrow	Hastings (FL)	Perriello
Becerra	Herseht Sandlin	Peters
Berman	Higgins	Peterson
Berry	Hill	Pingree (ME)
Bishop (GA)	Himes	Polis (CO)
Bishop (NY)	Hinchey	Pomeroy
Blumenauer	Hinojosa	Price (NC)
Boccheri	Hirono	Quigley
Boren	Hodes	Rahall
Boswell	Holden	Rangel
Boucher	Holt	Reyes
Boyd	Honda	Richardson
Brady (PA)	Hoyer	Rodriguez
Braley (IA)	Inslee	Ross
Bright	Israel	Rothman (NJ)
Brown, Corrine	Jackson (IL)	Roybal-Allard
Butterfield	Jackson-Lee	Ruppersberger
Capps	(TX)	Ryan (OH)
Capuano	Johnson (GA)	Salazar
Cardoza	Johnson, E. B.	Sanchez, Loretta
Carnahan	Kagen	Sarbanes
Carney	Kanjorski	Schakowsky
Carson (IN)	Kildee	Schauer
Castor (FL)	Kilpatrick (MI)	Schiff
Chandler	Kilroy	Schrader
Childers	Kind	Schwartz
Clarke	Kirkpatrick (AZ)	Scott (GA)
Clay	Kissell	Scott (VA)
Cleaver	Klein (FL)	Serrano
Clyburn	Kosmas	Sestak
Cohen	Langevin	Shea-Porter
Connolly (VA)	Larsen (WA)	Sherman
Conyers	Lee (CA)	Shuler
Cooper	Levin	Sires
Costa	Lipinski	Skelton
Costello	Loeb sack	Slaughter
Courtney	Lofgren, Zoe	Smith (WA)
Crowley	Lowe y	Snyder
Cuellar	Luján	Space
Cummings	Lynch	Speier
Dahlkemper	Maffei	Spratt
Davis (AL)	Maloney	Stark
Davis (CA)	Markey (CO)	Stupak
Davis (IL)	Markey (MA)	Sutton
Davis (TN)	Marshall	Tanner
DeFazio	Massa	Tauscher
DeGette	Matheson	Taylor
Delahunt	Matsui	Teague
DeLauro	McCarthy (NY)	Thompson (CA)
Dicks	McCollum	Thompson (MS)
Dingell	McGovern	Tierney
Doggett	McIntyre	Titus
Donnelly (IN)	McMahon	Tonko
Doyle	McNerney	Towns
Driehaus	Meek (FL)	Tsongas
Edwards (MD)	Meeks (NY)	Van Hollen
Edwards (TX)	Melancon	Velázquez
Ellison	Miller (NC)	Visclosky
Ellsworth	Miller, George	Walz
Engel	Mollohan	Wasserman
Eshoo	Moore (KS)	Schultz
Etheridge	Moore (WI)	Watson
Farr	Moran (VA)	Watt
Fattah	Murphy (CT)	Waxman
Foster	Murphy (NY)	Weiner
Frank (MA)	Murphy, Patrick	Welch
Fudge	Murtha	Wexler
Giffords	Nadler (NY)	Wilson (OH)
Gonzalez	Napolitano	Woolsey
Gordon (TN)	Neal (MA)	Wu
Grayson	Nye	Yarmuth

NAYS—183

Aderholt	Barrett (SC)	Bilirakis
Akin	Bartlett	Bishop (UT)
Austria	Barton (TX)	Blackburn
Bachmann	Biggert	Blunt
Bachus	Bilbray	Boehner

Bonner	Hastings (WA)	Myrick
Bono Mack	Heinrich	Neugebauer
Boozman	Heller	Nunes
Boustany	Hensarling	Olson
Brady (TX)	Herger	Paul
Broun (GA)	Hoekstra	Paulsen
Brown (SC)	Hunter	Petri
Brown-Waite,	Inglis	Pitts
Ginny	Issa	Platts
Buchanan	Jenkins	Poe (TX)
Burgess	Johnson (IL)	Posey
Burton (IN)	Johnson, Sam	Price (GA)
Buyer	Jones	Putnam
Calvert	Jordan (OH)	Radanovich
Camp	Kaptur	Rehberg
Campbell	King (IA)	Reichert
Cantor	King (NY)	Roe (TN)
Cao	Kingston	Rogers (AL)
Capito	Kirk	Rogers (KY)
Carter	Kline (MN)	Rogers (MI)
Cassidy	Kratovil	Rohrabacher
Castle	Kucinich	Rooney
Chaffetz	Lamborn	Ros-Lehtinen
Coble	Lance	Roskam
Coffman (CO)	Latham	Royce
Cole	LaTourette	Rush
Conaway	LaT	Ryan (WI)
Crenshaw	Lee (NY)	Scalise
Culberson	Lewis (CA)	Schmidt
Davis (KY)	Linder	Schock
Deal (GA)	LoBiondo	Sensenbrenner
Dent	Lucas	Sessions
Diaz-Balart, L.	Luetkemeyer	Shadegg
Diaz-Balart, M.	Lummis	Shimkus
Dreier	Lungren, Daniel	Shuster
Duncan	E.	Simpson
Ehlers	Mack	Smith (NE)
Emerson	Manzullo	Smith (NJ)
Fallin	Marchant	Smith (TX)
Filner	McCarthy (CA)	Souder
Flake	McCaul	Stearns
Fleming	McClintock	Terry
Forbes	McCotter	Thompson (PA)
Fortenberry	McHenry	Thornberry
Fox	McHugh	Tiahrt
Franks (AZ)	McKeon	Tiberi
Frelinghuysen	McMorris	Turner
Gallely	Rodgers	Upton
Garrett (NJ)	Mica	Walden
Gerlach	Michaud	Wamp
Gingrey (GA)	Miller (FL)	Waters
Gohmert	Miller (MI)	Westmoreland
Goodlatte	Miller, Gary	Whitfield
Granger	Minnick	Wilson (SC)
Graves	Mitchell	Wittman
Guthrie	Moran (KS)	Wolf
Harper	Murphy, Tim	Young (AK)

NOT VOTING—12

Alexander	Larson (CT)	Sánchez, Linda
Bean	Lewis (GA)	T.
Berkley	McDermott	Sullivan
Hall (TX)	Pence	Young (FL)
Kennedy		

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Messrs. McHUGH, McKEON, KINGSTON, SESSIONS, and RUSH changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Ms. BEAN. Mr. Speaker, on rollcall No. 345, H. Res. 545, had I been present, I would have voted “yea.”

# PROVIDING FOR CONSIDERATION OF H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 544, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 247, nays 176, not voting 10, as follows:

[Roll No. 346]

YEAS—247

Abercrombie	Griffith	Neal (MA)
Ackerman	Grijalva	Nye
Adler (NJ)	Gutierrez	Oberstar
Altmire	Hall (NY)	Obey
Andrews	Halvorson	Olver
Arcuri	Hare	Ortiz
Baca	Harman	Pallone
Baird	Hastings (FL)	Pascrell
Baldwin	Heinrich	Pastor (AZ)
Barrow	Herseht Sandlin	Payne
Bean	Higgins	Perlmutter
Becerra	Hill	Perriello
Berman	Himes	Peters
Berry	Hinchey	Peterson
Bishop (GA)	Hinojosa	Pingree (ME)
Bishop (NY)	Hirono	Polis (CO)
Blumenauer	Hodes	Pomeroy
Boccheri	Holden	Price (NC)
Boren	Holt	Quigley
Boswell	Honda	Rahall
Boucher	Hoyer	Rangel
Boyd	Inslee	Richardson
Brady (PA)	Israel	Rodriguez
Braley (IA)	Jackson (IL)	Ross
Bright	Jackson-Lee	Rothman (NJ)
Brown, Corrine	(TX)	Roybal-Allard
Butterfield	Johnson (GA)	Ruppersberger
Capps	Johnson, E. B.	Rush
Capuano	Kagen	Ryan (OH)
Cardoza	Kanjorski	Salazar
Carnahan	Kaptur	Sanchez, Loretta
Carney	Kildee	Sarbanes
Carson (IN)	Kilpatrick (MI)	Schakowsky
Castor (FL)	Kilroy	Schauer
Chandler	Kind	Schiff
Childers	Kirkpatrick (AZ)	Schrader
Clarke	Kissell	Schwartz
Clay	Klein (FL)	Scott (GA)
Cleaver	Kosmas	Scott (VA)
Clyburn	Kratovil	Serrano
Cohen	Kucinich	Sestak
Connolly (VA)	Langevin	Shea-Porter
Conyers	Larsen (WA)	Sherman
Cooper	Lee (CA)	Shuler
Costa	Levin	Sires
Costello	Lipinski	Skelton
Courtney	Loeb sack	Slaughter
Crowley	Lofgren, Zoe	Smith (WA)
Cummings	Lowe y	Snyder
Dahlkemper	Luján	Space
Davis (AL)	Lynch	Speier
Davis (CA)	Maffei	Spratt
Davis (IL)	Maloney	Stark
Davis (TN)	Markey (CO)	Stupak
DeFazio	Markey (MA)	Sutton
DeGette	Marshall	Tanner
Delahunt	Massa	Tauscher
DeLauro	Matheson	Taylor
Dicks	Matsui	Teague
Dingell	McCarthy (NY)	Thompson (CA)
Doggett	McCollum	Thompson (MS)
Donnelly (IN)	McDermott	Tierney
Doyle	McGovern	Titus
Driehaus	McIntyre	Tonko
Edwards (MD)	McMahon	Towns
Edwards (TX)	McNerney	Tsongas
Ellison	Meek (FL)	Van Hollen
Ellsworth	Meeks (NY)	Velázquez
Engel	Melancon	Visclosky
Eshoo	Michaud	Walz
Etheridge	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Mitchell	Watson
Filner	Mollohan	Watt
Foster	Moore (KS)	Waxman
Frank (MA)	Moore (WI)	Weiner
Fudge	Moran (VA)	Welch
Giffords	Murphy (CT)	Wexler
Gonzalez	Murphy (NY)	Wilson (OH)
Gordon (TN)	Murphy, Patrick	Woolsey
Grayson	Murtha	Wu
Green, Al	Nadler (NY)	Yarmuth
Green, Gene	Napolitano	

NAYS—176

Aderholt	Austria	Bachus
Akin	Bachmann	Barrett (SC)